

TOWN OF WEBSTER
Office of Selectmen
945 Battle Street/Rte. 127
Webster, NH 03303

Webster Board of Selectmen's Meeting – August 10, 2009

7:00 P.M. Roll Call – Present: Chairman Thomas Mullins and Selectman George Hashem. Selectman Dave Klumb was absent.

The Board signed the payroll and check manifests.

The Board agreed to wait until further review before accepting the minutes of July 27, 2009.

The Board signed the following for Administrative Assistant Judith Jones:

- Selectman Hashem made a motion to accept both sets of non-public minutes from the July 13, 2009 Selectmen's Meeting; seconded by Chairman Mullins and approved;
- Selectman Hashem made a motion to accept the non-public session minutes from July 27, 2009 as written; seconded by Chairman Mullins and approved;
- Purchase Order #19 for the Highway Department in the amount of \$2,824.19 to Jordan Equipment for cutting edges;
- Appointment sheet for Deputy Tax Collector Karen King;
- The MS-1 Extension. Request Form;
- Reviewed an estimate from Ray Kimball for repairs to the dining area ceiling, which will be discussed at the August 24th Selectmen's Meeting; and
- Approved a letter to Shawn Laliberti and Beth-Holly Laduke regarding their need to comply with the Zoning Board's Commercial Exception condition requiring Site Plan Review by the Planning Board and the need to meet all Life Safety Codes.

The Board signed the following Intents to Cut for Financial Administrator Wendy Pinkham:

- Allan and Judith Jones – Map 4-27 & 30;
- Sanbornton Realty Trust – Map 2-5;
- Isabel and Michael Brintnall – Map 5-3-3;
- Leila Mosely – Map 4-5; and
- Mark Phillips – Map 4-12.

Police Chief Brian Milano presented the Police Department's semi-monthly report. He advised that today, having followed up with Brenda Lemay regarding payment for damages done to the Dare vehicle while parked at her place of business, Ms. Lemay indicated that she was not going to pay the repair estimate. He returned the original estimate along with a narrative of the incident. In response to a citizen's inquiry Chief Milano advised that no accident report was filed as the monetary amount of damage was not reportable. Ms. Lemay did offer to fix the damage, but that is not possible at this point. Selectman Hashem recommended sending a letter to the Lemay's requesting payment. A letter that had been drafted was approved to be sent to the Lemays.

Fire Chief Adam Pouliot advised that Fire Department calls were at 90 for the year, the same as last year. He advised that he needs to have repairs to some of the pagers and some radio work done that will cost an estimated \$1,000. He will also be scheduling the annual maintenance on the air packs (flow tests; change batteries; etc.), which is an OSHA requirement. Chairman Mullins noted that obviously the cost of doing business was about the same as last year, giving him something to think about (referring to the budget cuts).

Road Agent Emmett Bean advised that he has been grading and putting dirt on the dirt roads and cleaning the ditches. Mrs. Pinkham has not had a return call regarding salt prices.

Cemetery Commissioner Brenda Silver provided the signed contract for the fence repairs at Riverdale Cemetery, which will start in a few weeks. She also has several quotes for the repairs needed at Corser Hill Cemetery to be reviewed later as she would like to get that done this year as well.

Peg Foss, Food Pantry Coordinator, requested \$5,000 for the Food Pantry renovations, which would come from a discretionary fund known as the Isabel Anderson Fund. The Board of Selectmen are authorized to expend from this fund at their discretion to be used for the good of Webster residents. Ms. Foss advised that the total project was estimated to be just over \$9,000. She has procured donations for much of the project and may in fact have more funds from the sale of some “nice” wood to be salvaged from the premises, hence affecting the total amount needed from the fund. Plans are to break ground in the fall. Ms. Foss advised that she has a CPA managing the books and will be in touch with the office regarding information needed to withdraw the funds.

Loren Hill of Hopkinton has volunteered to do some maintenance work on the ball field behind the School. Mrs. Silver will be given a copy of his e-mail and be in touch with him. Mr. Hill was also to contact the School as the field is on both Town and School property.

7:23 P.M. Selectman Hashem made a motion to recess until 7:30 to allow time to move to the dining area; seconded by Chairman Mullins and approved.

7:30 P.M. Chairman Mullins reconvened the meeting. He opened the Public Hearing to accept a parcel of land being donated to the Town shown as Map 10-4-72A. He opened the hearing to public comment. It was questioned as to what happens to parcels owned by the Town. The Board advised that they are offered for sale to abutters, but only through a vote of the Legislative Body (at a Town Meeting). There being no other comments, Selectman Hashem made a motion to accept the donated parcel; seconded by Chairman Mullins and approved. Chairman Mullins then closed the Public Hearing.

Bruce Johnson, referring to the new procedures in place relative to those folks on the agenda to speak, inquired as to what steps the public needed to take to get answers to questions or comments either in writing or during a meeting. Chairman Mullins advised that these were two different things, with one being public comment such as was happening now. Mr. Johnson referred to the last meeting where he read a letter and asked that several questions be answered. Selectman Hashem thought that he was asking what one does if one were not on the agenda, but has a question about something, what procedure does one use to get an answer. Mr. Johnson agreed he was asking two questions, one of which Selectman Hashem addressed, the other was that if one is on the agenda and has questions, how one gets those questions answered. Chairman Mullins noted that one can not always be guaranteed an answer i.e. what does the Board plan to do about the Parks Department budget, which is something taken up at budget time. He reminded folks again that the Board decides when various topics will be addressed, noting that questions cannot be used as a mechanism to sidetrack discussion or the agenda. Selectman Hashem noted that if something were not pertinent to the agenda, the Chairman could recognize the questioner and try to get an answer, but it should not be something totally irrelevant to the current discussion. Mr. Johnson wanted it clarified whether he could address questions at any time on a certain topic through the Chairman. Again, Chairman Mullins advised that the questions could not set the agenda. Mr. Johnson again referred to his letter read at the last meeting with questions that went unanswered, wondering when he could expect a response. In an effort to answer those questions, Chairman Mullins referred to the question regarding budget savings, advising that there is no clear answer at this time as the revenues are not definite and keep changing. He referred to the question of the “public safety services” advising that the committee has been formed, noting that the reference to the July 13th meeting having been changed to July 27th had been changed for some time.

Mr. Johnson told the Board that he wanted to be supportive and not appear to attack the Board, only to open communications.

Dave Murray, Trail Administrator for the Boscawen Town Line Trail Dusters, requested permission to cross land owned by the Town on Pleasant Street, shown as Map 6-41. Webster enjoys trails maintained by the Boscawen and Warner snowmobile clubs. He expressed concern over public safety, particularly regarding the crossing of any body of water. He displayed a snowmobile map showing a newly proposed trail to come from Chadwick Hill Road via way of the "Old Town Dump" on Pleasant Street, not previously a part of the maintained trail. He advised that the State provides a 2-million dollar liability policy to protect all the land owners, which a copy would be provided should the Town's property be used. There are 7,000 miles of trails, municipal, State and privately owned. He advised that he was seeking permission from the Town at this time, but would be approaching all the private landowners at a later date. Mr. Bean indicated that he had stock piled materials at the pit. Mr. Murray would like to work with Mr. Bean on this project. Steve Balch had concerns that if signs were to be put up, they would exclude wheeled vehicles. Mr. Murray advised that the clubs go by the landowners wishes. Ms. Foss inquired about DES permitting. Mr. Murray advised that whenever necessary, they were obtained. Martin Bourque inquired about trimming with Mr. Murray advising that they only trimmed what would be necessary for trails approximately nine feet wide. There was further discussion on the trails, citizens concerns, impact, the pros and cons of trails, etc. Robert Drown had questions regarding the trail route and crossing over the government land, which he leases. Mr. Murray again showed him the map and requested to meet with him at a later time to further discuss the issue. Mr. Murray advised that the Town's pit would require some kind of bridge over the brook, which would be put in by and at the clubs expense, but would belong to the Town. The Board preferred that there be no exclusions for use across the Town's property if approval was given and requested that Mr. Murray work with the Road Agent. Mrs. Jones was asked to call the Local Government Center to see what kind of vote would be required of the Board. The Board expected to make a decision at the August 24th meeting. Mr. Murray would provide a copy of the liability insurance, if use is approved, with the Town listed as a property owner.

Chris Vary presented and read to the Board the following petition signed by 275 townspeople as follows: "Petition to the Webster Board of Selectmen regarding Webster Police Department Staffing Levels August 2009.

We the undersigned strongly urge the Board of Selectmen in the Town of Webster to make the public safety needs of the citizens and children of Webster a priority.

We the undersigned realize that making public safety needs a primary concern may mean cuts or sacrifices in other areas of the Town budget.

THEREFORE we, the undersigned citizens of the Town of Webster, ask the Board of Selectmen to take all prudent and necessary steps to fully fund and maintain the current staffing level of 2 full-time police officers in the Webster Police Department within the current approved 2009 budget.

Please accept our signatures as verification that we wish for the Town of Webster Police Department to remain intact at no less than 2 full-time police officers under all circumstances."

Sue Roberts, addressing the Board, questioned Mr. Johnson's letter read at the last Selectmen's Meeting, signed by 21 townspeople. Chairman Mullins indicated that she should probably direct her concerns to Mr. Johnson directly. Her concern was regarding the statement that "we understand that Lt. Mitchell has been accused of dishonesty for his on-the-spot answer at an earlier meeting that he 'typically' takes overnight calls on Tuesday, Wednesday, and Thursday nights." She was upset by the statement and questioned how this accusation was made as she has been to all of the Board meetings and was unaware of any such accusation. She felt it was a fairly rugged statement and wanted to know how those that signed the letter knew of any accusation. Chairman Mullins tried to clarify her question to say she was asking how those folks knew. Ms. Roberts continued reading from Mr. Johnson's letter regarding "Failure to Protect". Mr. Johnson advised that he had been told of the accusation, but was unwilling to name his source, unless that person wanted to be recognized. Selectman Hashem advised that he did not want to be party to anyone accusing anyone of dishonesty because it was not appropriate

and did not want to discuss it as he didn't think anyone here had accused anyone of dishonesty, noting nothing productive could come of this discussion. Chairman Mullins tried to clarify the question by saying that Ms. Roberts felt someone had accused Lt. Mitchell of dishonesty. Ms. Roberts stated again that she was unaware of any accusation made (at a meeting as she has attended all of them), only that there was a vehicle policy adopted that went to both the Police and Fire Departments, stating again that she didn't think it was right that anyone should be accused of dishonesty and was curious as to who was the accuser. Selectman Hashem again stated that he did not think they (the Board) should be talking about it. He noted that it was a valid question and when the letter was read, he advised then that he disagreed with what was written, but advised that to speculate and discuss it would only disparage someone's reputation. He stated that nothing would be gained, that it would not be productive, that it was no more than hearsay because the things brought up were actually supposed to be non-public information and he did not choose to comment on it one way or the other. He advised that anyone could say whatever they wanted. Mrs. Roberts felt that it was not right, as Lt. Mitchell was a Police Officer, noting she had been falsely accused of something earlier that she put a stop to. Some folks thought that it was written in the Grapevine. Mr. Drown asked Mr. Johnson to come forward with a name, which he refused. There was speculation as to where the accusations came from. Selectman Hashem again tried to stop the conversations and not discuss the issue any further. Robert Porter asked the Board to recognize Lt. Mitchell as he had been standing up for some time. Chairman Mullins recognized Lt. Mitchell. Lt. Mitchell advised that he was the one that told Mr. Johnson that information. He indicated that he had been notified by the Police Chief that the Selectmen had filed a complaint against him for being dishonest. He noted that the Selectmen can't talk about personnel issues like what has just been discussed, but he had no issue himself. He advised that Chairman Mullins, at a meeting said that Lt. Mitchell had said that he typically was on-call three nights a week and that his statement did not hold water during the last eight week period. Lt. Mitchell rebutted that by saying that he certainly had kept that schedule for on-call time during the first of the year. John Clark spoke in support of Lt. Mitchell's on-call time. Jim Roberts felt that the issue of who said it was cleared by Lt. Mitchell's statement. (Some discussion continued, but was hard to decipher on the tape.).

8:19 P.M. Selectman Hashem made a motion to go into non-public session per RSA 91-A:3 II (a) to discuss personnel issues; seconded by Chairman Mullins. Roll Call: Chairman Mullins – yes and Selectman Hashem – yes. Mrs. Jones was requested to attend.

8:28 P.M. Chairman Mullins reconvened the meeting. He advised that the Board voted to seal the minutes.

Selectmen Hashem made a motion to adjourn, seconded by Chairman Mullins and approved.

Thomas S. Mullins-Chairman
BOS/jj

George K. Hashem